

## ZEMAN & WOMBLE, LLP

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December 15, 2020

Hon. Jesse M. Furman  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

Re: United States v. Robert Wilson, et. al. (19-CR-625 (JMF))

Dear Judge Furman,

Motions in this case, which is scheduled for trial on May 24, 2021, are due on December 17, 2020. Writing on behalf of the four defendants, I respectfully request a 45 day extension of the motions deadline. Specifically, we request an Order making pretrial motions due on February 1, 2021; the government's response due by February 22, 2021; and replies, if any, due March 1, 2021. The government consents to the extension, with the express understanding from defense counsel that the extension cannot be used as a basis for adjourning the trial date.

As the Court is well aware, communications between counsel and clients have been exceedingly difficult over the last nine months. While some in-person legal visits have been permitted at the MCC and MDC, over the past month many units have been quarantined again as the cases continue to rise. As of this morning, in MDC there are 103 inmates and 10 staff members with active COVID cases and in MCC there are 21 inmates and 10 staff members with active COVID cases.<sup>1</sup>

Many members of the bar continue to feel insufficiently safe entering those facilities, given the BOP's largely ineffectual efforts to provide safe environments for attorney-client visits. As a result, it has been difficult not only to effectively communicate

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<sup>1</sup> <https://www.bop.gov/coronavirus/>

with our clients, but to jointly go through discovery and determine whether motions are appropriate. Under pre-pandemic circumstances, the filing of motions would have been preceded by many visits and joint discovery review sessions, and the obtaining of affidavits from clients. Those kinds of discussions are considerably more difficult during time-limited video conferences.

Since trial is still six months away, an extension will have no impact on counsel's ability to be ready for trial in May, a date which we understand is firm. Accordingly, the defendants in this case jointly request an extension of the motions deadline. As noted, the government consents to the extension, with the express understanding from defense counsel that the extension cannot be used as a basis for adjourning the trial date.

Respectfully,



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Benjamin Zeman  
*Attorney for Robert Wilson*

cc: All Counsel

Application GRANTED. The Court hereby adopts the motion schedule set forth by Counsel. The Clerk of Court is directed to terminate Doc. #86. SO ORDERED.



December 16, 2020